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ABSTRACT

This special newsletter issue on learning disabilities and juvenile justice includes statistics indicating unfavorable outcomes for many individuals with learning disabilities, presents findings of the Incarcerated Youth Task Force Report, and describes five successful programs for teaching reading. Articles include: "Parents Don't Care!--Or Do They?" (Joan T. Esposito); "Learning Disabilities: Developmental or Academic Learning Disability? It's Crucial To Know the Difference" (Rhoda Cummings); "Helping Children through Juvenile Court: The Youngster with Learning Disabilities" (Marc Lewkowicz); "A Judge's Story" (Jeffrey H. Gallet); "Who Makes Education Decisions for Juvenile Court Children?" (Mary S. Keegan); "Educating the Reading and Learning Disabled behind Bars" (Stephen J. Steurer); "Learning Disabilities and the Juvenile Justice System" (Amy Bailin et al.); "From the Perspective of Judge Jean Lewis"; "An Attorney's Perspective on Learning Disabilities" (Carole Telfer); "GED Testing Accommodations for Poor and Incarcerated Special Needs Students" (Patricia Franklin); "Legal Definitions and the JD-LD Linkage" (Barbara Bateman); and "Where Have All the Girls Gone?" (Julie Gilligan). A resource section identifies learning disabilities organizations, audiovisual resources, and print resources. (SW)

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The GRAM

Learning Disabilities Association of California
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Revised Edition

Special Edition

Learning Disabilities and Juvenile Justice

"If you cannot read there are only two ways to make a living —the welfare system or crime—and crime has more status"

Judge Jeffrey Gallet

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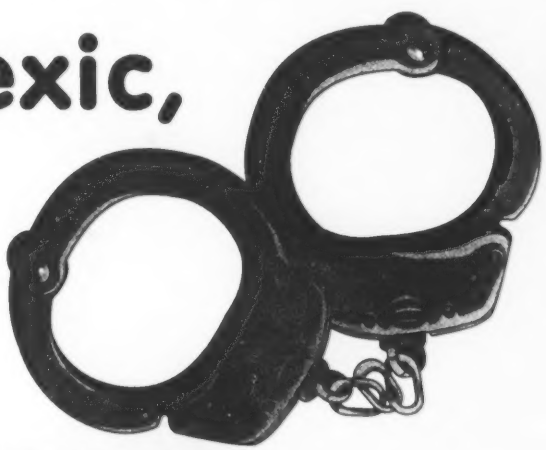
By the time you find out your child is dyslexic, he could be starting his first sentence.



courtesy British Dyslexia Association

EC 304447

President's Message

Parents Don't Care! — Or Do They?

Joan T. Esposito

"Parents don't care!" This is a comment I hear over and over again, usually from adults who were fortunate enough to be born with the gift of being able to learn how to read and write while attending grade school. Often the comment comes from adults who have high school diplomas and adults who are often gainfully employed in our public school or justice systems. People judge people by their own standards. This article is being written to provide insight into why some (not all) parents might not seem to care or be involved with their children's educational needs.

Learning Disabilities are hereditary! The majority of the six thousand parents of learning disabled children I have assisted over the last seven years have learning disabilities themselves. Many of them have also failed in school because of their undiagnosed learning disabilities. At least eighty percent of children and adults diagnosed with learning disabilities have their most severe difficulties in learning how to read. Parents who have failed in school because of their learning disabilities are often intimidated and embarrassed to attend school meetings or court hearings with their children. Over the years I have attended many court hearings and school meetings with fathers who have undiagnosed learning disabilities who have never attended a school meeting out of fear of being ***found out***. I have observed adult men turning pale when they entered their child's school, as they remember their own painful school memories. I am not trying to use learning disabilities as an excuse for these parents, but it is most assuredly an issue that judges may want to take into consideration and be sensitive to in their courtrooms as they deal with juvenile delinquents or when school personnel are working with a family with learning disabled children.

Because learning disabilities are hereditary, many people with a learning disability come from a family cycle of poverty. I have helped many families where the grandparent, the adult child and the grandchild are illiterate because of their undiagnosed and unremediated reading disability. It is not uncommon for me to find that all three generations of these families have attended the same local public school system. Sadly, this is often the kind of family who are told, "Parents don't care!"

To give you some added insight on adults who are afraid of being ***found out*** and afraid of ***the stigma*** I will share with you my personal story. Although my experiences are not as typical as some stories of juvenile delinquents with whom I have attended court, they are not unlike the experiences of parents whom I aid. As a result of my being afflicted with dyslexia, I was functionally illiterate until my reading disability was diagnosed when I was forty four-years old. My learning disabilities were not identified until after my son was diagnosed with Dyslexia and Attention Deficit Disorder, when he was seventeen years old.

My son's first school years were spent in Beverly Hills, California. My son's father was a literary agent whose clients were directors, producers and writers in the movie industry. After several years of struggling to entertain clients in our home, (I could not read a cook book), I jumped at the chance of our family's leaving Beverly Hills and moving to Santa Barbara. I was so excited because we had no clients or friends in Santa Barbara and I could hide from the world. We bought an old Spanish home which had 10,000 square feet. For the first six months I was extremely happy. I spent all my time doing the things I loved to do: gardening, remodeling and decorating our home. Then one day my son's teacher asked me to help in his 2nd grade classroom. I thought I was going to work with the children on their art projects or just watch over them for the teacher. But the teacher asked me to help the children with their spelling and reading. I was so embarrassed I made an excuse to leave the classroom by saying I was going to the rest room and I never went back. When the school year was over, I removed my son from that school and placed him in a private school so I would never have to face his teacher again. I was never able to participate in any of my son's school activities like I wanted to. Like many of the parents I have assisted over the years, the stigma of not being able to read and write and not knowing why is humiliating and painful.

After I divorced my son's father, I was forced to attend my son's school meetings alone. After a few meetings of not understanding what my son's English teacher was trying to explain to me about his problems with the English language, I broke down and cried in front of her. I told her I could not help him with his spelling because I could not spell or read. The teacher was very kind and seemed to understand. She put her arm around me as she wrote down the name of a book for me to buy at the book store that would help me. I was excited! I thought maybe I could learn how to read from this new book. After all, she was an English teacher. Therefore she must know how I could learn to read. The title of the book she suggested and wrote down for me was "*The Elements of Style*" by William Strunk Jr. and E.B. White, a book on grammar. After the meeting I drove with my son to the bookstore. I was excited because just maybe I would finally find a book that would teach me how to read. I looked through the book, but it did not help me learn how to read or write. My expectations of the book to educate me how to read may sound stupid to anyone who can read, but I was willing to try anything. I owned seventeen dictionaries which I had bought throughout my life hoping that I could find one that would work for me. I was not unlike many of my clients who, by the time they find me, have spent a great deal of money buying video

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Evidence of Failure for those with Learning Disabilities

The outcomes for far too many people with learning disabilities are unfavorable. Despite the substantial gains that have been made via federal legislation for those with learning disabilities since the passage of Public Law 94-142, now the Individuals with Disabilities Education Act (IDEA), and the Americans with Disabilities Act, the uneven and uninformed implementation of the law has led to many tragic failures. The following statistics indicate the extent of the problem nationally and clearly show that early identification and intervention are vital for individuals affected by learning disabilities. There is a cost to pay for both individuals and society, if we do not provide better solutions.

- 50% of all students in special education in the public schools have learning disabilities — 2.25 million children. Source: *U.S. Dept. of Education 1992*
- 75% – 80% of special education students identified as LD have their basic deficits in language and reading. Source: *National Institutes of Health*
- 35% of students identified with learning disabilities drop out of high school. This is twice the rate of their non-disabled peers. (This does not include the students who are not identified and drop out). Source: *National Longitudinal Transition Study (Wagner 1991)*
- 60% of adults with severe literacy problems have undetected or untreated learning disabilities. Source: *National Adult Literacy and Learning Disabilities Center 1994*
- 50% of juvenile delinquents tested were found to have undetected learning disabilities. Source: *National Center for State Courts and the Educational Testing Service 1977*
- Up to 60% of adolescents in treatment for substance abuse have learning disabilities. Source: *Hazelden Foundation, Minnesota 1992*
- 62% of learning disabled students were unemployed one year after graduating. Source: National Longitudinal Transition Study (Wagner 1991)
- 50% of females with learning disabilities will be mothers (many of them single) within 3-5 years of leaving high school. Source: *National Longitudinal Transition Study (Wagner 1991)*
- 31% of adolescents with learning disabilities will be arrested 3-5 years out of high school. Source: *National Longitudinal Transition Study (Wagner 1991)*
- Learning disabilities and substance abuse are the most common impediments to keeping welfare clients from becoming and remaining employed, according to the 1992 report from the Office of the Inspector General. Source: *Office of the Inspector General on "Functional Impairments of AFDC Clients".*

Report of the Summit on Learning Disabilities, 1994

Incarcerated Youth Task Force Report

Findings

- Approximately 8,300 students are being served by the California Youth Authority.
- It is estimated that a significant number of incarcerated youth between the ages of 18 years old and 22 years old, who reside in either county jail facilities or state prison facilities, may qualify for special Education.
- Special education services are not available to many students who reside in juvenile halls or ranches throughout California.
- Of all the youth addressed in the above findings, approximately 70 percent could qualify for special education.
- When a youngster enters or exits the judicial system, often his/her student cumulative file is unavailable.
- The Office of Civil Rights is "working" with the Los Angeles County Office of Education to insure that special education services are available for all incarcerated youth who qualify for such services.
- A statewide system to track this at-risk population does not exist.
- Often, interagency involvement is lacking.
- This at-risk population does not have a unified advocacy group to support its needs on a statewide basis.
- Confidentiality appears to be an obstacle in establishing and maintaining interagency cooperation.
- The requirement to assess prior to providing special education is an obstacle to providing appropriate services in a timely fashion.
- Incarcerated youth are affected by the statewide reduction in probation services due to state budget reductions.
- Current special education funding restricts program options for incarcerated youth.
- The State of California is not fully utilizing funding available under PL 89-313.
- There is not a uniform definition of recidivism within the State of California.
- All incarcerated youth receiving special education in California are not counted in the state pupil count.
- Parent/family involvement is often missing for incarcerated youth.
- Special education is not available in all county juvenile facilities.
- The California Youth Authority is excluded from receiving Instructional Personnel Service Units(IPSU).
- Funding for special education is not equitable statewide.
- Students are reluctant to be identified as individuals with exceptional needs.
- Students are reluctant to self-identify for special education because of the fear of perceived reprisals from staff and peers.

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Learning Disabilities

Developmental or Academic Learning Disability? It's Crucial to Know the Difference!

by Rhoda Cummings, Ed.D

Timothy and Casey are both 16 years old, and both have been identified by their school district as learning disabled. However, Timothy has a developmental learning disability and Casey is an academic underachiever. When Timothy was born, the umbilical cord wrapped around his neck, briefly cutting off the supply of oxygen to his brain. Although he has average intelligence, he has cognitive processing deficits in the use and understanding of both spoken and written language; he is also highly distractible, acts impulsively, and has no friends.

In contrast, Casey's learning disability was not detected until third grade, when his reading and spelling abilities were determined to be at the first grade level. However, given the fact that Casey changed schools four times during the first and second grades, his reading and spelling problems are not surprising. Unlike Timothy, Casey has lots of friends, he drives a car, and takes care of his younger brother and sister after school.

Timothy and Casey both qualify for the school district's learning disabilities program because standardized test data for each of them indicate the existence of a significant discrepancy between the academic achievement test scores and the IQ score (Timothy performs poorly in all academic areas; Casey only has trouble with reading and spelling.) However, the causes and manifestations of the learning problems are quite different: Timothy's learning disability is intrinsic because of its neurological origin, and it affects all areas of his life; Casey's "learning disability" is extrinsic in that it results from environmental causes (i.e. lack of stability during his first two years in school), and it only affects school performance. Timothy's learning disability will not be "cured" by the time he graduates from high school, and he will have difficulty making the transition from school work to work and adult living. Casey's reading and spelling problems may improve with remedial help, and he is likely to adjust well to adult living.

Because of the known association between learning disabilities and delinquent behavior, both Timothy and Casey stand a greater than average chance of coming in contact with the juvenile justice system. It is therefore imperative that juvenile justice professionals be aware of the characteristic differences between developmental and academic learning disabilities, which manifest themselves in four specific areas: communication abilities, social awareness, information processing, and response to authority.

Juveniles with developmental learning disabilities will have difficulty using and processing written and spoken language; they will not understand social nuances and may misinterpret nonverbal social cues; they should be presented with information both auditorially and visually; and they may not understand the hierarchal arrangement of the legal system. Juveniles with academic learning disabilities, on the other hand, demonstrate normal ability to use and understand language; they understand the social milieu and can operate effectively within it; they process information as well as their non-learning disabled peers; and they frequently resent authoritarian demands but will usually respond positively to a fair and reasonable adult.

By understanding the crucial differences between developmental and academic learning disabilities, juvenile justice officials will ensure that juveniles with both kinds of learning problems will receive fair and appropriate treatment.

Dr. Cummings is an Associate Professor of Special Education at the University of Nevada, Reno, and author of the book, ***Survival Guide for Teenages with Learning Disabilities.***

Today: Juvenile and Family Justice
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What is the link between learning disabilities and juvenile delinquency?

Learning problems may put an LD youth suspected of a delinquent act in greater jeopardy in the juvenile justice system. An LD youth may not be able to tell his or her story logically, answer questions correctly, or follow instructions promptly. Officers or court personnel may believe the youth is being obstinate or "acting smart."

A federal study has shown that learning disabled youths are more than twice as likely to be judged delinquent by the courts than non-LD youths. For the same offenses, LD youths have higher rates of arrest and adjudication. According to the study, 36% of boys ruled delinquent by the courts had learning disabilities.

Juvenile justice professionals should learn to identify learning disabled youths and then assist them by providing procedures and services tailored for their special needs.

What Can You Do?

Many times adolescents with learning disabilities cannot cope with regular juvenile court procedures. Changes such as the following, recommended by court personnel and LD specialists, would be invaluable in helping these youths.

- Work with youths in a setting as free of distraction as possible.
- Revise forms for intake officers asking them to look for signs of learning disabilities—clumsiness, confusion, disorganization—in youths involved in court proceedings.
- Design treatment plans that are individualized and highly structured for LD youths.
- Give parents opportunities to help.

Provide in-service training on learning disabilities — what to look for and what to do — for all juvenile justice staff.

Excerpted from ***The LD/JD Link — Undetected Learning Disabilitiesand Juvenile Delinquency***
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Helping Children Through Juvenile Court: The Youngster With Learning Disabilities

Marc Lewkowicz, Ph.D.

The rate of delinquency in the learning disabled and attention deficit disordered population is significantly higher than the general population. Statistics demonstrate that boys with severe learning disabilities are more than twice as likely to engage in delinquent activities than other boys. The youngster with learning disabilities is also more likely to be arrested. Of course, this does not mean that learning disabilities lead to delinquency, but rather that learning disabilities do place a youngster in an increased risk category. The youngsters with severe learning disabilities make up 36% of the adjudicated delinquent population. This does not even include the youngsters with attention disorders but no other learning disability.

Several demonstration projects, research studies, and tracking statistics demonstrate the positive impact of Special Education techniques, including multisensory reading instruction, in reducing delinquency. A rate of 70-80% recidivism is usually cited as typical for chronic delinquent youth in detention and recidivism rates of 50% for offenders with a minimal prior offense history would be in the accepted range in the research literature. The recidivism rate for LD youth is unknown but LD youth do generally offend at a higher rate than non-LD youth. However, the Bronx Opportunity Center was able to reduce delinquency in the Learning Disability (LD) population to 25% recidivism over a two year follow-up. The state of Virginia, using Special Education in its detention center and in coordination with local districts as the youngsters are reintegrated into their home community, reports recidivism at only 12%. A National LDA/State Court study in 1980 demonstrated that individual tutoring reduced recidivism dramatically in the LD population but had little effect in a small non-learning disabled group. Two studies of multisensory reading instruction demonstrate a 50% reduction in recidivism in comparison to regular instruction in reading with matched delinquent samples. In San Diego County, informal observation by Probation Officers note repeatedly that only a few youngsters reviewed for placement are actually in Special Education at the time of arrest although it is acknowledged that many are eligible for Special Education at the time of arrest. The California Youth Authority is presently identifying 25% of its population as Special Education and CYA officials admit this is probably an under identification and does not include attention disorders where AD/HD is the sole handicapping condition.

The experiences in San Diego, California may be an instructive case example in some of the dynamics involved in instituting special education within the justice system. San Diego Juvenile Court has recognized the risk of learning disabilities and the need for prevention in this population. It is well known and accepted in the professional community that failure in school and dropping out of school is a serious risk in delinquency. The Chief Justice of Juvenile Court in San Diego requested a set of guidelines to ensure adequate attention to learning disabilities in the youth appearing before the court. This would include both youngsters served by the Department of Social Services in dependency proceedings and youngsters served by the Probation Department. To meet this need, the Individualized Education Program (IEP) Task Force was formed by the San Diego County Commission for Children and Youth. The IEP Task Force met monthly over a year and a half to review policies and problems encountered by the learning disability population as they go through the courts and are served by the Juvenile Court, the Probation Department, the Department of Social Services, and the County Court Schools. The Court Schools operate both in the community and in local detention facilities such as Juvenile Hall.

Numerous problems are encountered in trying to maintain Special Education programs as youngsters are placed in various settings. Transmitting complete records is a major stumbling block. Uncertainty about guardianship and the right of guardians/fosters parents or others to attend an IEP meeting required clarification. The rights and responsibilities of foster parents had to be addressed. Looming in the foreground of each agency was the cost factor of full compliance.

During the course of the Task Force meetings, officials of the Court Schools maintained that the programs delivered an appropriate level of service in the detention centers. An Office of Civil Rights (OCR) complaint was filed regarding the provision of service for Special Education youth at Juvenile Hall and several areas of needed improvement were noted. In answering the complaint, Court School officials issued a revised policy manual in which specific guidelines for obtaining prior records, following prior IEPs, adequate "search and serve" procedures in which youngsters with prior Special Education services were to be assessed, and the development of appropriate staffing for Special Education are stated. The Office of Civil Rights was unable to secure compliance within the guidelines of this manual and monitoring continued a year after the complaint had been filed.

While Special Education is provided to youth with prior IEPs, new placements in Special Education are unlikely but not impossible. States will vary in their receptivity to Special Education needs. If you believe your child would qualify and be helped by Special Education, make your request in writing to the school with a copy to the defense attorney and Probation Office.

It is recommended that Probation Officers and defense attorneys inquire into the Special Education background of youngsters in their caseload. It is commonplace for the arrested youngster to have had prior Special Education but no current placement at the time of arrest. A careful review of the behavioral and academic history of the youngster will reveal the impact of decreased structure and guidance. This will provide important information to be used in planning for rehabilitation. Unfortunately, the burden of educating the attorneys, Probation Officers, and the court, may fall on the shoulders of parents. The youngster with prior Special Education placement should be re-assessed to determine current needs. In cases where no prior Special Education is noted, all professionals involved in a case are professionally obligated to refer for Special Education assessment when there is a suspicion of disability.

After all the discussion on procedures used by schools, social workers, attorneys and probation officers, it still falls on the shoulders of the parent or guardian to promote the welfare of the child. Unfortunately, parents are often poorly prepared to reason with school officials to institute the appropriate evaluation and IEP. Parents are encouraged to seek advice and assistance from their local Learning Disability Association chapter.

Several thousand youngsters are served by courts each year in every major city. Youngsters served in these programs may find themselves in foster care, protective care, group homes, local detention facilities, treatment facilities out of town or out of state, or out of town detention facilities. More serious crimes or histories of repeated infractions without response to rehabilitation efforts may result in placement at a state-level detention facility. The youth with learning disabilities who is sent far from his home often relies on the good will of the receiving school district to detect a learning disability or implement an IEP. Just as important, it has been learned that the success of a youngster at home often depends on the coordination of Special Education services within the detention or treatment center and the home district to which the youngster will return after discharge or release.

A commonly found scenario involves the teenager who is performing at an adequate or marginal level throughout elementary school within the structure of Special Education. The youngster moves on to junior high school and "graduates" from Special Education or is reduced in the intensity of Special Education programming. A pattern of minor infractions develops at school. The youngster's performance drops in the classroom from what had been expected from their performance while supported through Special Education. Often this is combined with family problems or changes such as divorce or a death in the family. Two or more major incidents occur at school which causes the school to suspend the student or transfer the student to a continuation model program. Frequently, a program is instituted which leaves the child with more unstructured time on their hands than had been the case when the problems started. Here is where many of the major problems begin. Difficulties in planning, decision making, impulsivity, low self-esteem, and generalized lack of success in life set the stage for delinquent behavior. The youngster with combined LD and attention disorders may be at particular risk when released from the structure of a Special Education program.

If your youngster in Special Education is arrested, immediately inform the attorney of the Special Education status of your child. It is critically important to have saved all test records and IEP records throughout your child's education. Inform the defense attorney that you have these records and are willing to release these records and review them with the attorney. If you do not have these records, be prepared to personally make a few trips to school offices to obtain all records including those in the Special Education folder. Attorneys and probation officers

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A Judge's Story

by Jeffrey H. Gallet, Judge in Family Court, State of New York

My mother was a trained teacher but even she did not understand learning disabilities. The term was almost unknown when I was a child. She was convinced I was bright, and she knew I was working hard at learning, but she could not understand why my achievement was so low. She shared my frustrations.

Everyone at school said that I was lazy or stupid or both. After a while I began to believe them. Sometimes, I just gave up. I couldn't write, spell, or read, or answer questions quickly. I didn't even know which hand to put over my heart when we recited the Pledge of Allegiance.

Once my parents were called to school and told that I had scored first in my class on an I.Q. test. That score they were told was evidence that I had cheated on the test. My father, a lawyer, argued that I must have been bright, indeed, for I had copied only the correct answers. My parents never gave up on me although it must have been a great disappointment to those two scholarly people that their first born could barely graduate from high school.

They encouraged me to go to college and I did, graduating last in my class. I wanted to go to law school against the best advice of my school counselors. Again they encouraged and supported me, this time along with one of my professors, Dr. Hugo Mailey.

Law School — No Longer Last in Class

Brooklyn Law School took a chance on me. I responded with the best academic performance of my career — I graduated in the middle of my class. By law school I had begun to learn how to compensate for my problems. I also had the good fortune of meeting Steve Lusthaus, another student, who was willing to spend many hours discussing legal concepts with me. Law school was easier than college because there was more emphasis on concepts and less on rote learning, my greatest weakness.

Steve, now a successful lawyer, and I still joke about the time he tutored me for a torts examination on which I scored an "A" and he only a "B." I also remember the night I decided to drop out of law school because of the seemingly endless pressure and Steve argued with me all night, refusing to let me go to sleep until I agreed to stay in school.

Life Finally Comes Together

I was a lucky one. Loving parents, a college professor and a law school roommate supported me, encouraged me and refused to let me fall victim to my frustrations and give up. They knew that I was neither stupid nor lazy, even though there were times I was not so sure myself. By the time I was, by chance, diagnosed as learning disabled at the age of thirty-five, I had already learned to deal with my learning disabilities. By the age of thirty-seven, I was a judge.

I take special pride in one accomplishment. Having failed English courses in both high school and college, I finally learned how to write. But, today, with five books and over thirty articles to my credit, I still suffer from terrible writer's block and an irrational fear that I am about to make a fool of myself every time I sit down to write. The fear and the frustration have left such a lasting mark on me that I can never forget how it was. I can never fully believe it will not be that way again.

Some Thoughts about the Juvenile Justice System

I agreed to write this article, after first refusing, because I think my story may help parents deal with their LD children. Almost every week I see a learning disabled child who, undiagnosed or untreated, is venting his or her frustrations in anti-social ways. I could have stood in that same spot. If not for loving, caring, involved parents, my frustrations at not being able to keep up in " class, and to some extent in the play yard, could have burst forth in the same self-destructive way.

The schools and the courts have not met their responsibilities to LD children. When I was young, they simply did not recognize the problem. Now, they can diagnose and deal with LD but have not allocated the resources to do what must be done.

I expect the FCLD benchbook to make a major impact on the juvenile courts. Juvenile court judges will for the first time have an authoritative work to help them deal with the LD youth-at-risk. Hopefully, it will lead to treatment programs to halt the escalating conflict between the frustrated, angry, impatient LD youngster and his or her overburdened, impotent-feeling parents who are unable to socialize their children and integrate them into their peer groups. Too often in the past, the solution has been to place the child in foster care, an unsatisfactory, non cost-effective solution which may very well do more damage than good.

It is the schools which hold the key to avoiding the type of conflict we see in the family courts. An early diagnosis of the problem and an integrated treatment plan, including not only help for the child, but, also, counseling for the parents, would save many children now going astray. Unfortunately, too many schools have not focused their attention and resources on the problem and research proposals to find methods for early diagnoses of LD are going unfunded.

There is improvement. As education programs such as the FCLD grants for handbooks for lawyers and judges make more and more people aware of the problem and the terrible waste it creates, more LD children are being identified and helped. Unfortunately, the process is painfully slow.

Their World, 1986
Reprinted with the permission of the National Center for Learning Disabilities 381 Park Avenue South, NY, NY 10016

"You can't teach anybody how to swim in a shed. Locked-up kids aren't made more responsible. One has to take responsibility before he can learn responsibility."

Judge Andrew Valdez

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10/13/94 Dot Worry

Dear Mom

Hi mom I'm siting in my sell with my Selly. It is his frist time to so it not that bad. I dot want to efer come back thats a promis. I will make it but I can't what to git out. I will tell you more win I cell you I dot no win. mom Sind me mony plese. Im Sory I can't Spell. I dot no win you can Visit me.

This is my adris San Quention State priSon
San Quent CA 94974

This is my Number J-[redacted]

my name mynumder

Sind my mail ofer nite

I Love you mom

Love [redacted]

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Who Makes Education Decisions for Juvenile Court Children?

by Mary S. Keegan

Are disabled children who are dependents and wards of the juvenile court receiving the free appropriate public education guaranteed to them by federal and state law? The answer, unfortunately, is no.

Although a myriad of explanations could be offered, the primary reason why so many children do not receive an appropriate education is that there is no one to advocate for them within the educational system. Without parents who are involved and knowledgeable, disabled children in the custody of the state are not likely to receive an education program which meets their needs.

Any agency serving this population needs to be aware of the legal rights of parents of juvenile court children, and the obligations of school districts and placing agencies to locate parents and attempt to involve them in the educational decision-making for their children. This article provides an overview of state and federal law in this area, along with a step-by-step approach to identifying the "parent" for educational purposes.

Every child with a disability has the right to a free appropriate public education, but genuine implementation of that right often requires a parent to act as an advocate for her children. Even a child with a committed, well-informed parent may have difficulty in getting needed services, but at least that child has a fighting chance. The child without a parent to advocate for her is likely to receive whatever services are available and customarily offered for a child with that disability, without a truly individualized look at the child's unique needs.

A learning disabled child, for example, may not even be assessed to determine whether mental health services are needed. Another child may be placed in the closest special day class that matches her eligibility label, regardless of the appropriateness of the teacher, peers or curriculum, and regardless of the child's ability to benefit from being educated (at least part of the time) with nondisabled peers.

In several Bay Area school districts, it is common practice for social workers to sign Individualized Education Programs (IEPs) for children in foster care in lieu of parents. This is routinely done in spite of the fact that it is illegal under both federal and state law.

In 1990, California passed new legislation (A.B. 1528) protecting the rights of parents to be involved in the education of their dependent children, and outlining procedures for the appointment of surrogate parent. A surrogate parent is an individual appointed by a school district to represent the child's rights under the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. 1400-1485 and implementing state law when there is no parent, or the parent cannot be found.

The passage of A.B. 1528 made it clear that surrogate parents may not be appointed automatically for all juvenile court children, nor may social workers or others sign IEPs without express authorization from parents. In actual practice, however, this legislation is often misunderstood or ignored. Some of the confusion arises from the need to reconcile state law with potentially more expansive federal law, but other problems are caused simply by school districts that fail to take the legal mandate of parental participation seriously.

School districts and social service departments have an affirmative legal responsibility to attempt to locate parents and involve them in educational decision making, even if the child is a dependent or ward of the court. Any agency serving juvenile court children will want to be familiar with those legal responsibilities to ensure that the children in their care who may be eligible for special education will receive the educational services to which they are entitled.

The Parent's Right to Make Educational Decisions

Requiring parental participation in the development of an IEP (along with a teacher and an administrator) is one of the most important ways the law protects the right of a disabled child to receive an appropriate public education. Even before a child has been found eligible for special education, the parent has rights, such as the right to request an assessment of the child's needs and to review and consent to a written plan for conducting that assessment.

Even when the juvenile court has declared a child a ward or dependent, the parent retains these rights unless the court has specifically limited the right to make educational decisions. If the court limits the parent's rights over educational matters, this must be specifically addressed in a court order. Since this requirement was added by the California legislature in 1990, juvenile courts may not remove the parent's authority to make educational decisions unless it is necessary to protect the child.

At the time of placement in a licensed children's institution or foster family home, the placing agency has a duty to state whether the juvenile court has specifically limited the parent's right to make educational decisions. If not, the placing agency has a duty to identify the parent's whereabouts or whether the parent's location is unknown.

There are a number of ways to involve a parent who retains the right to make educational decisions, even if that parent is unable or unwilling to attend IEP meetings and advocate for the child. One way is for the parent to designate, in writing, an individual to act as the parent's representative with respect to the child's rights to special education and related services. A foster parent might be designated as a parent's representative in appropriate cases.

Some parents, initially uncomfortable with IEP meetings, are able to attend by taking a friend or relative to assist them. The school district is required to assist parents by advising them of their rights, presenting information clearly without jargon, and scheduling IEP meetings at times convenient to parents. Parents may participate in IEP meetings by telephone, or even sign consent to the IEP later without attending the meeting. Assistance for parents may be available from a nonprofit advocacy group (such as Community Alliance for Special Education in San Francisco) or from a court-appointed special representative (CASR).

Persons Acting as Parents

If there is no parent (biological or adoptive) or legal guardian, or if the parent's educational rights have been terminated by the juvenile court, the proper inquiry is whether there is "a person acting as a parent" of the child. Under federal law, rights accorded to a parent of a disabled child are given to a person acting in the place of a

parent, such as a grandmother or step-parent with whom the child lives, as well as persons who have legal responsibility for the child.

Although the contours of this law are not defined precisely, the essential element is the sum of the adult' s actions in caring for the child over time, rather than whether the adult has legal responsibility for the child. A long-term foster parent or permanent foster parent will probably meet this definition if long-term involvement with the child is contemplated.

Because of the subjective nature of this definition, it is recommended that the child's social worker be asked to obtain an order from the juvenile court confirming that the particular individual is a person acting as a parent of the child and therefore has the rights accorded parents in special education law. This should not be difficult, as the juvenile court is accustomed to persons acting in loco parentis in other contexts. You may, however, wish to seek legal advice if the social worker seems uncooperative or unfamiliar with this concept. Having a court order will avoid any confusion about whether the school district should recognize the named individual as parent for special education purposes.

Legal Guardians Appointed by the Juvenile Court

If no parent can be identified by the procedures discussed above, the juvenile court may be willing to appoint a guardian as part of its permanency planning procedures. California statutes allow the juvenile court, rather than the probate court, to appoint a legal guardian in certain circumstances where neither adoption nor termination of parental rights is in the best interests of the child. A legal guardian may be appointed with specified powers over educational and/or medical decision-making even when the court will continue the dependency and the child will remain in placement.

The benefit of such a guardian should be obvious to the placing agency and the court. One can expect a guardian to become familiar with the child's history and changing needs and to act as a liaison and advocate for the child with various public agencies. However, since it is a bit unorthodox for the court to appoint a guardian with whom the child does not reside, it may be advisable to consult legal counsel if this situation arises.

Conclusion

If all of the above avenues have failed, the school district is obligated to appoint a surrogate parent. The school district is required by law to develop a method for determining whether a child needs a surrogate parent, and to use "reasonable efforts" to identify and locate the parent or person acting as a parent. Although the placing agency and/or any agency serving the child may attempt to influence the school district's choice of an individual to act as surrogate parent, making the appointment is the prerogative of the school district.

Because school districts have no incentive to appoint a staunch advocate for the child, it is recommended that all efforts be made to locate the parents or person acting as a parent, or to have a guardian appointed by the juvenile court. The closer the relationship of the "parent" to the child, the more likely it is that the child will be properly educated.

A surrogate parent may be appointed by the school district only when no parent can be identified or located, not when the parent is unresponsive or refuses consent to the school district's plans. The school district is required to adhere to specified criteria, including appropriate knowledge and skills, cultural sensitivity, and avoidance of conflict of interest.

From ***Progeny***
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Incarcerated Youth Task Force Report

continued from page 3

Recommendations:

General:

- A uniform definition of recidivism is needed in California.
- Progress should not be measured exclusively by recidivism.
- Funding for special education must be extended to include incarcerated youth.
- Special Education Local Plan Areas (SELPAs) must include incarcerated youth in all student count reports.
- Current programs receiving IPSU funding should seek approval under Education Code Section 56400 to implement demonstration programs.
- The members of the judicial system must be educated about the rights of the disabled.
- SELPAs must comply with the provision of law that addresses surrogate parents.
- The Commission must actively support the action plans developed at the Directors' Symposium on Correction and Youth with Special Needs

Prior to Incarceration:

- At-risk students should be involved in the development of a prevention plan or alternative education plan.
- Decision-making, problem-solving and critical-thinking skills must be integrated into the curriculum.
- Educators need to network with fraternity/other organized groups that sponsor youth activities and experiences.
- A means of early identification of at-risk youth must be used consistently.
- Interagency and community partnerships must be available to collectively address the needs of at-risk youth.

During and After Incarceration:

- An Educard/Passport should be implemented to make student files readily available for agencies and staff who serve incarcerated youth.
- Special education for incarcerated youth cannot be restricted to Special Day Class (SDC), Designated Instruction Services (DIS), and Resource

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Educating the Reading and Learning Disabled Behind Bars

by Stephen J. Steurer, Ph.D.

Fifteen years ago I started working in the prisons in Maryland as a doctoral student in Reading. As a former public school reading teacher it did not take me long to notice the large numbers of low level readers. Adults with a high school diploma were a minority. The majority of students in school were in adult basic education and GED classes. Many others, who had no high school diploma, were in vocational training. The most frequent complaint of the vocational teachers was that too many of the students could not read well enough to handle the trade manuals. As if the picture wasn't bleak enough, only 20% of the inmates were in school programs of any kind. Most were not enrolled because they did not want to go to school. It was a safe assumption that they were at least as educationally illiterate as those who were in school.

To compound the situation, most teachers wanted to teach the higher level students. Given a choice, most teachers chose to teach at the GED level instead of adult basic education; and most adult basic education teachers did not know how to, or want to work with non-readers.

It was this dismal situation which made me determined to do something to train and motivate teachers to work with the most disabled student. Within a few years I went from a part-time reading consultant to Academic Program Coordinator for the correctional education program, a position which I still hold more than 10 years later. That position has allowed me to develop reading and special education programs in the Maryland system. What I found out was that most teachers were willing to work with low level students once they were trained to do so.

Reading Lab Uses Inmates As Tutors

Without going into the history of the program, we were able to train many of our teachers as Reading and Special Education Specialists through Chapter 1 federal funds. We simply brought masters degree programs into the prisons through Johns Hopkins University and the University of Maryland. Coursework for the regular degrees was tailored to meet the needs of correctional teachers. Special electives were developed in criminal justice and abnormal psychology and the educational courses were taught with the correctional population in mind. Teachers did their projects in the prisons instead of public school settings. As a result, we now have two very strong programs for the reading disabled and special education students. The first one, which we call the Reading Laboratory, is for the very low and non-reader who may or may not be a special education student. Students are assigned to the Reading Laboratory where they receive daily one-to-one tutoring for as long as a year or more (sentence permitting) until they can graduate to the regular Adult Basic Education program and participate in small group classes (10-12 students). The tutors are inmate volunteers who are extensively trained by a reading teacher who supervises and manages the classroom. Depending on classroom size, there may be as many as fifteen tutor/tutee teams at one time, up to three times per day. This program is in place at every major institution in the state of Maryland (eight in all). Incentives for reduction of sentences are built into the program for both tutor and student. The program has gained national recognition in at least two studies. Mrs. Barbara Bush has visited and praised its quality.

Every Inmate Under Age 22 Screened For Learning Problems

The second program is the special education aspect of the adult basic education program. All inmates under the age of 22 are screened for potential educational handicaps. The inmates go through the complete Admission, Referral and Dismissal process carried out in public and private schools. Students who are determined to have handicapping conditions have Individual Educational Plans. The State of Maryland Special Education Office has monitored and evaluated the statewide program twice in the last four years and has determined that the program is basically in compliance with state and federal law.

While we are justifiably proud of these programs, we will not be satisfied until we can serve all students. Right now we serve about 30% of the inmate population. Many who need education and job training go under- or unserved. Our latest efforts are focused on better linkage between vocational and academic education and transitional services from prison to the street.

While I have described only the Maryland programs, in which I am personally involved, there are many states doing the same kinds of educational activities. With the huge growth in prison populations, correctional facilities are fast becoming the schools of last resort for people the public schools gave up on long ago. We know it can be done. Correctional educators differ from their public school counterparts in one major way; we do it behind bars.

Editor's Note: Steve Steurer, Ph.D., is the Executive Director of the Correctional Education Association, 8025 Laurel Lakes Court, Laurel Lakes, MD 20707.

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Helping Children Through Juvenile Court

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often do not know how to obtain Special Education records and parents can be very helpful in this regard. A written request to the school for all records to be released to the defense attorney and other officials will be necessary. Make sure the letter specifies Special Education records. If the youngster has attended several schools, be prepared to contact every school, working backwards from the present school to obtain all records. Track down the records from every year, gathering all test data including subset scores and general scores. It is important that the earliest intelligence test results be obtained as intelligence test score often decrease over the school years for the LD or AD/HD youngster. A historical sequence of test scores can be valuable to understanding what has happened to the youngster over the years.

The parent is still the child's primary advocate. While many Juvenile Court attorneys may now be conversant with learning disabilities, the consistency of knowledge and motivation is uneven. Be prepared to educate the attorney or Probation Officer on the influence of your child's disability on his or her behavior. When working with school officials to develop a new IEP, be sure to include behavioral objectives to enhance school outcome. These social skills are often related to the disability and require direct, planned intervention. Problems regarding impulse control, positive peer relationships, improved self-esteem, self-advocacy, and anger management may be appropriate for an IEP in addition to academic skill goals. Specific vocational objectives should be stressed in the IEP of an adolescent. If your youngster is placed in detention or other residential treatment, it is important that a new IEP be developed just prior to release with the participation of the receiving school. Coordination with parole officers in monitoring attendance will also be important. This continuity can be crucial in generalizing the effects from the detention center back home. The Juvenile Court and juvenile detention centers are charged with a mission of rehabilitation. Make effective education part of your child's program.

Dr. Lewkowicz chaired the IEP Task Force of the San Diego County Commission on Children and Youth is the liaison between LDA-CA and the California Youth Authority.

Learning Disabilities and the Juvenile Justice System

by Amy Bailin, Marcia Mann and Florence Springer

The relationship between learning disabilities and delinquency has been established in a large body of research conducted over the last twenty years. In general, a more significant linkage has been found between academic failure and delinquency than between socioeconomic disadvantage and delinquency. Until the juvenile justice system develops strategies to address the underlying learning disorders of so many juvenile offenders, we can expect the rate of recidivism to remain inordinately high.

A learning disability is intrinsic to each individual so affected — it is not a choice. Some disabilities are familial and may be inherited. In an ideal educational system, learning disabled children would be identified early, mostly by the end of first grade. Instructional patterns would be modified to meet their learning strategies. "Remediation" would not be necessary, because their learning would proceed at a normal rate (or superior rate). They would "fit into" the educational mainstream and feel as if they fit into society, instead of failing and then maybe being allowed another chance (which frequently doesn't work). The personal feeling of failure never completely leaves one — even when modified by a second-chance success. Without that "second-chance" success, which needs to happen by fourth or fifth grade at the latest, failure for "school learning" takes hold. With it comes a social perception of "not belonging" soon to be followed by a feeling of not caring. This leads directly to aggressive, destructive, socially maladaptive behaviors so often demonstrated by youngsters coming into Family Court.

With a growing sensitivity toward, and awareness of, the education–self-esteem–delinquency connection, the juvenile justice system is now in a position to interrupt the cycle of failure and offer these youngsters a realistic opportunity for success. This true second chance must include accurate diagnosis, appropriate educational remediation and psychotherapy.

Learning disabilities have been called a hidden handicap. If you break your arm, you wear a cast, and nobody asks you to lift a heavy load. If you sprain your ankle and tape it up, nobody expects you to finish the race in the same amount of time as the other children. Youngsters with learning disabilities, however, have no place to put the bandaid. These are youngsters who look good — who look just like everyone else. It's difficult to imagine that these are youngsters who have a serious handicap, and that they need supports and accommodations in order to keep up with their peers. These are youngsters who do not want to be different, will not tell you about their difficulties and spend a good deal of time denying that they have any problems. These are youngsters who would rather start a fight in the hallway outside of class and be sent to the Dean's office, in order to avoid the English class where their friends may think them "dumb."

Current researchers estimate that the learning disabled population in regular school classes is between 10% and 20%. Students with learning disabilities have average or higher intelligence, yet show inconsistent patterns in academic achievement. For example, a student may excel in some subjects while failing others. A student may alternately do very well and very poorly in the same subject during the same semester, for no apparent reason. A student may demonstrate understanding of material in class, yet fail a test given one week later. School records may describe these students as lazy, unmotivated, inattentive, not working up to their potential, daydreaming, "not really school material."

The youngsters believe this of themselves, and worse. They believe they are irreparably brain-damaged, defective and/or crazy. They believe the term learning disability is used by adults who are trying to be kind to them and to hide a more loathsome diagnosis. It will therefore be very difficult to elicit information. These youngsters have a feeling of hopelessness. They have given up on themselves, and will attempt, usually successfully, to hide their hurts behind "swagger," "attitude" and "one-upmanship" types of behaviors. Since they fear being perceived as "dumb," they must insist on being aggressively "smart."

These may not be pleasant youngsters to interview. They may succeed in turning everyone off. In attempting to aid these youngsters it becomes imperative that information be gathered from other sources. Furthermore, diagnosis of learning disability can only be made after all other possible causative factors have been ruled out. This process is called differential diagnosis.

The treatment plan must prioritize ameliorative strategies, such as entering into psychotherapy before, or concurrently with, educational therapy. One youngster may need to begin intensive individual and family therapy before he is truly available for educational remediation. Another youngster may benefit from immediate educational gains and then begin to deal with problems of social and emotional adjustment. Still another youngster may need to explore vocational options and training before setting educational goals. In some cases medication may be needed for an attentional deficit disorder which may accompany a learning disability.

Since the development of every human being is based on a balance of education, social and emotional components, and since there are varying growth spurts in each area along the way to adulthood, it must be understood that for learning disabled youth the balancing act has already been jeopardized. By the time he has entered the domain of the juvenile justice system, the boy who began by starting a fight in the hallway outside of class to avoid his schoolmates and teachers thinking him "dumb" has already become so far out of synchronization that all three areas of development must be addressed on a therapeutic basis in order to restore equilibrium.

It should be obvious that the youngster cannot go back to the educational setting (and perhaps social setting) which contributed to his disequilibrium. Alternative options must be prescribed and made available. These options must be therapeutic in nature rather than following traditional educational patterns. The youngster must be taught how to learn and also to understand his learning differences. The educational therapist utilizes information from the fields of neurology, language, education and psychology in order to help the student understand how learning takes place and to help him develop his own effective learning strategies.

*Excerpted from "**Representation of Children Suffering from Dyslexia and Other Learning Disabilities in the Family Court**" published by the Appellate Div., 1st Judicial Dist. Supreme Court of the State of New York, 1990.*

Texas Key

From the Perspective of Judge Jean Lewis

Circuit Court of Oregon

The following speech was presented at an ACLD (now LDA of America) symposium.

My perspective on learning disabilities and youth in trouble is described here on behalf of the National Council of Juvenile Court Judges. To my colleagues in neuropsychology, developmental disorders, psychology, pediatrics, and other related areas, I defer the definitive requirements of diagnosis and treatment.

My concern and that of many judges is that a child with learning disabilities may not be receiving from us all the constitutional guarantees to which he may be entitled. Professionals in the field of learning disability are not in complete agreement in advising us what a learning disability is nor is there complete agreement how a learning disability should be treated. I have read articles indicating that there is absolutely no correlation between disability and delinquency. And I have read articles that say 80 percent of the kids who are sent to training institutions have some degree of learning disability. Frankly, I don't know where in between the true facts lie.

I congratulate the Adolescent Affairs Committee of the Association for Children with Learning Disabilities, in particular Dorothy Crawford, Sylvia Richardson, Al Katzman, Eli Tash, and others, who by their insistent perseverance and hard work obtained a grant from the National Institute for Juvenile Justice and Delinquency Prevention of LEAA to ascertain the extent of learning disabilities within the public school system and determine what percentage of kids coming before the courts, have a learning disability. Perhaps they will learn what remediation program will work and what won't.

The National Council of Juvenile Court Judges is attempting to acquaint family and juvenile court judges with the problems of the learning-disabled child and how to handle him in our judicial system. Courses are taught at our national college at the University of Nevada. This year there will be programs in each of our spring, summer and fall sessions. Also, in July, 1977, at our National Convention in St. Louis one of the major portions of the program, in fact, was three 3-hour sessions devoted to the relationship of the juvenile court judge and the learning-disabled child.

Let me review for you the kind of cases that come before the Juvenile Judges of America. Remember that all 50 states have somewhat different laws. Basically, however, here are three kinds of youngsters with whom we deal and to me all of them fit the category of "Youth in Trouble."

1. There is the dependent or neglected child. In this category, we find youngsters who have been abandoned or neglected by their parents or the person having the child's custody. He may have been abused or mistreated, either physically, sexually or emotionally, or perhaps the child has been the victim of an assault.

2. We have the youngsters we refer to as "status offenders." In some states they are referred to as PINS; other states CHINS. These are children in need of supervision. They are the youngsters who are beyond the control of their parents and their behavior frequently is endangering their own welfare and safety. They are runaways, they are truants, they are school dropouts.

3. We also have children who have committed acts which if done by an adult would be a law violation. In many areas these youngsters are classified as delinquent.

A case comes before the Juvenile Court upon the filing of a petition or report for the neglected, mistreated or abused child. The petitions stem from parents, relatives, school personnel and police. Most children can tell us what has happened to them. But frequently, a learning-disabled child can't. The psychological and psychiatric test of the child might not tell us exactly *how* the injury occurred, although the physical examination can tell us *what* the injury was. I have some concern that we have not been able adequately to protect the learning-disabled child because of his inability to tell us what happened. I am sure that the members of ACLD are not the kind of parents who would mistreat or abuse a child, but there are people in our society who do. Abused children are in need of help and to me are kids in trouble.

There is a movement in America to remove from the juvenile court judges' jurisdiction over the second category of children-the status offenders. The argument is that children who are truant from school or runaways or have behavioral problems should not be handled within the juvenile justice system but should be handled through social agencies. It is rather difficult, however, for us as judges willingly to give up jurisdiction in an area where we think we can do some good. If there is a serious altercation in the family and the child is substantially beyond the control of his parents, isn't it better for juvenile court intervention on the basis of the behavior situation rather than to require a parent to file a charge of assault-criminal charge against his own child? Also, our experience disclosed that the child with behavior problems who is not helped can become a serious problem.

Then we have the youngsters who have violated the law—children who have committed a variety of acts including murder. In connection with the latter group of youngsters, I would like to relate a story and I quote in part from an article by Robert Shepard. a former Assistant Attorney General of Virginia, in Locked Doors and Crippled Children.

One of the first things a youngster learns in school is: First, to speak only when you are told to speak; second, don't challenge the teacher or her authority; third, learn to sit straight for five hours a day; and fourth, most important of all, don't wiggle unless it's the wiggle period. In many classrooms there is a youngster who is a wiggler, and he likes to wiggle at times other than the regular wiggle period. In education, such a period is usually called a recess. Even in the first grade many of these youngsters wiggle when they are not supposed to. Let's take a look at one little boy named Tommy. Tommy wiggles, and he wiggles when he isn't supposed to. But when Tommy has wiggled, the teacher can't very well put in his school folder that Tommy is a wiggler. So she says, "Tommy is hyperactive and has a short attention span." The following year the teacher looking at Tommy's record sees that Tommy is hyperactive and has a short attention span. She really knows that he may be a wiggler. She doesn't want to put that in the records, so she watches to see how much he wiggles. Now Tommy is worried. He doesn't wiggle so much because he notes that the teacher is watching him. What happens? He becomes nervous and upset. And then what goes in his folder? "He is abnormally anxious and shows signs of an incipient character disorder."

On a fire drill one of Tommy's buddies gave him a playful goose. Tommy turned around and hit the gooser in the kisser. The teacher couldn't put in the school folder that Tommy hit the kid, so what was put in? "Tommy shows evidence of antisocial attitudes, assaultive tendencies."

Tommy is on his way. The parents of little Tommy became concerned. The psychologists they went to said no problems with Tommy, but explained it was a basic personality conflict between Tommy and his mother. That resulted in the family having quite a guilt complex. A neurologist gave Tommy an EEG and everything looked normal; he may have noted that Tommy suffered from an "adolescent adjustment reaction." Tommy found he wasn't having many friends so he started going into 7-11's and walking out with candy which he gave to his buddies. He didn't know he was doing anything wrong. The other kids sent him in. He was trying to make friends.

Let us assume Tommy is caught. Here is what could happen. The police file a petition charging Tommy with trespass, larceny, robbery, burglary, the whole gamut depending upon the acts he is alleged to have committed. Now the juvenile court judge has a problem.

Juvenile Court hearings are bifurcated. First, it must be proven beyond a reasonable doubt that Tommy did the acts charged. This is called the adjudicative stage of a Juvenile Court proceeding. If the facts are proven, the judge must decide what to do for the child. This is called the dispositional stage of the proceeding.

Now for the adjudicative hearing for Tommy.

An adult has a variety of defenses based on his mental capacity. Perhaps a brief history might be of interest to you. Mental illness, mental disease, defect, or insanity has long been available as a defense to an adult criminal. The early rule, *M'naghten*, first known in about the middle of the 1800s, provided in substance as follows:

In all cases of this kind the jurors ought to be told that a man is presumed sane... until the contrary be proved to their satisfaction. It must be clearly proved that at the time of committing the act, the party accused was living under such a defective reason, from the disease of the mind, as to not to know the nature and quality of the act he was doing or as to not to know that what he was doing was wrong. *EngRep 718 (1843)*

That rule was followed for many years in England and adopted throughout America. Jurisdictions later then adopted what is known as the "Irresistible Impulse" Doctrine. It added the following:

If he did have such knowledge, he may nevertheless not be responsible if by reason of the duress of such a mental disease, he had so far lost the power to choose between right and wrong, and to avoid doing the act in question, that his free agency was at that time destroyed.

Subsequently, the Durham Rule was adopted. It in effect said:

An accused is not criminally responsible if his unlawful act was a product of mental disease or defect. *Durham v. United States 14 F 2nd 862*

Later on in the *United States v. Currans*, 290 F 2nd 751 (1961), the following was added:

The jury must be satisfied that at the time of committing the prohibited act, the defendant, as a result of mental disease or defect, lacked substantial capacity to conform his conduct to the requirement of law.

Later on states adopted the Mental Disease or Defect Rule which provides in effect:

A person is not responsible for criminal conduct if at the time of such conduct, as a result of mental disease or defect, he lacks substantial capacity either to appreciate the criminality of his conduct to conform his conduct to the requirement of law.

Are any of these defenses available to Tommy? Does he suffer from a mental disease or defect? Does he have a learning disability? Has his desire to be accepted by his peers changed his concept of responsibility? Let us think this through together.

Let us assume Tommy has been found to have been guilty of violating the law in that he went into a 7-11 and stole merchandise valued in excess of X number of dollars, Now we come to the dispositional stage.

A juvenile court judge has a number of alternatives including an institutional placement, a group home, a camp program or supervisory control, generally referred to as probation. On a first offense we are usually tempted to try probation and leave a child within his own home. Before making a determination or disposition, the judge has available school records, medical records, including psychiatric and psychological, and the testimony of witnesses. What help is Tommy's school record — he is hyperactive, has a short attention span, is abnormally anxious and has shown signs of an incipient character disorder. Moreover, he shows evidence of antisocial attitudes and assaultive tendencies. The psychologist indicates that Tommy is suffering from an adolescent adjustment reaction.

With only this information available, what do I do to or for Tommy? Suppose he has a learning disability. I may not have the tools at my command to help change his behavior. If his disability is verbal or reading, does it do him any good to see a written requirement of a probation that he doesn't understand or if he does understand it, can he remember it? Does he have auditory problems? Does he really hear and understand what I tell him? Am I getting through to him? And if he has had difficulties in the regular school system, then am I not adding to his problems with part of his probation requirement I demand that he attend school? Am I not asking for more failures, more frustrations, and more violations?

The Congress of the United States has recognized the problems of the learning-disabled child in Public Law 94-142. The statement of its findings and purposes are noble. There are more than 8 million handicapped children whose special needs are not being met. There is a responsibility on the part of state and local educational agencies to provide education for all handicapped children. I concur wholeheartedly with Section 3(b)(9):

"It is in the national interest that the Federal Government assist state and local efforts to provide programs to meet the educational need of handicapped children in order to insure equal protection of the law."

Public Law 94-142 offers great hope to the learning-disabled child and all other handicapped children in our society. We all must be aware, however, that a law no matter how good is not effective unless it is fully implemented.

As many of us know, there are a number of children in state training institutions who have been adjudicated delinquent and are wards of the state. Many of these children have learning disabilities but their

disability was not recognized at the time of their commitment. Their needs may not be recognized while they are in the institution; or, if they are recognized, are their needs satisfactorily met? Hopefully, we the judges of America can alert our state training facilities to seek any funds that might be of benefit to the children we have committed. Better yet, funds should be available within the educational systems of our own local communities so that youngsters will remain within the public education system and stay out of the juvenile justice system.

I would like to call your attention to a publication *Juvenile Court Judge and Learning Disabilities* written by Frank N. Jacobson and an article written by Dr. Bernstein and Joseph Rullo which was published in the November, 1976 issue of *Juvenile Justice*. Both of these publications are available through the National council or Juvenile Court Judges at the University of Nevada, P.0. Box 8000, Reno, NV 89507.

I concur wholeheartedly with the authors of the latter publication in the five factors they point out which prevent courts from establishing realistic diagnostic and treatment services as:

1. The child was never diagnosed in school as having a learning disability (Remember Tommy).
2. The average Juvenile Law Officer does not have any adequate training to distinguish between learning disabilities or acting out behavior.
3. The aggressive behavior of the child frequently will prevent the worker from realizing that a learning difficulty is present.
4. Most courts do not have clinical services available.
5. When clinical services are available to diagnose the problem, treatment services are not often available.

In my opinion, children should be diverted prior to their coming in contact with the juvenile justice system. Please don't misunderstand me, the juvenile justice system isn't bad. But I would much rather see a child achieve without me as a judge having to put an iron hand on his shoulder. I would much rather see him make it on his own, in his own home, in his own community. As judges, we hope to focus national attention on the nature of learning disabilities, their importance, their extent and what relationship they have to delinquency. We are attempting to bring to the attention of every family and juvenile court judge in America and all of our court personnel that this is a serious problem, Hopefully, the research done through ACLD will give us additional information. I am sure there are many youngsters who fall into delinquent behavior who could be salvaged if their disability was diagnosed and treated early enough. Because of society's failure to help these youngsters in the beginning, society is paying the cost. We are trying to offer guidance to families and juvenile court judges to recognize that these youngsters have difficulties but surely we need cooperation between all of our professions to the end that we can reduce the number of kids that have trouble and help them live a more productive life.

I suppose you might wonder why I, a judge, became involved in learning disabilities. Some years ago I noticed that I had never sent a child to a training institution who could read at grade level. This spurred me to further interest and hopefully further knowledge. And then I met Dorothy Crawford and from that day forward, I have been sunk. I shall always be eternally grateful to her.

I am the first to admit that I don't understand fully the extent of learning disabilities nor am I sure how to handle a learning-disabled child. I am seeking answers. It is sometimes difficult for me as a judge to have one psychiatrist tell me one think and another psychiatrist tell me something else; and I don't know who to believe. Some years ago, in fact, back in 1957, I was a member of the Legislature of Oregon and a proposal was made to require every school district in the State of Oregon to provide a special program for mentally-retarded children if there were more than 12 such children in their district. This bothered me. I didn't think as a member of the Legislative Assembly, I had any right to tell an educator what to put in his curriculum. Then a parent came to me and said, "It's all right for you to be philosophical, but you don't have a mentally-retarded child. You haven't had to knock on doors or cry and scream for help." That parent's request meant more to me than all the statistics, all the charts and all the books that I had read. We passed the Legislation.

Parents remember. No voice is stronger or more respected in Congressional and Legislative Halls than the voice of concerned, interested, and informed parents. I commend you for the successes you have achieved thus far and for your constant devotion. Keep it up! I hope that the professionals in the field will join forces with you to obtain adequate Legislation and workable regulations to provide resources for children.

I conclude with this urgent plea:

The children of America are the responsibility of all of us. Through the cooperative effort of all of us, perhaps a disabled child can be identified and helped early in life. As professionals we should pool or share our knowledge and resources to assist each other in identifying these children and providing remedial treatment programs.

Unfortunately, sometimes we don't always communicate with each other as well as we should or we may have a tendency to blame each other for our failures.

Let's work together so that somehow, somewhere, someday, these youngsters will benefit through our collective knowledge and efforts. They may learn differently, but they are no less precious.

from ***Delinquent Youth and Learning Disabilities****, Nancy P. Ramos, Editor, Academic Therapy Publications, San Rafael, CA*

"It is time that the judiciary and the Bar, with help from educators and psychologists, address the problem of learning disabilities in a knowledgeable, authoritative manner."

Judge Frances Murphy

An Attorney's Perspective On Learning Disabilities

by Carole Telfer

I have been a criminal defense lawyer for the last fifteen years. I also have worked with the Learning Disability Association of California both on a state and local level for the last eleven years. During those years, I have come to see just how serious the link is between learning disabilities and criminal behavior. I have also developed a more keen understanding of how we, in the criminal justice system, should view this subject matter.

The very first thing we need to understand is that learning disabilities is not just a problem with school! Learning affects every avenue of life. It affects one's cognitive abilities. It affects how a person makes decisions. It affects one's understanding of the link between behavior and consequences. More importantly, it affects a person's self-esteem and level of self confidence. In total, it affects one's perspective of the world.

The second consideration is that a learning disability is no less disabling than any more visible or physical handicap. If a physically handicapped person has problems negotiating the world, we feel empathetic and supportive. If a learning disabled person cannot learn, because he has not been identified as such in school or has not been given the appropriate special education, and he fails, we call him or her stupid. Then, we go on to insist that he or she could do better if he or she only tried harder. Judges, who sentence a teenager to go to school, when that child has failed in school all his life because he has not been given the ***appropriate*** special education, are practicing cruel and unusual punishment.

Attorneys need to be specially sensitive to this disability. They need to develop a dialogue with parents of the client so they can understand developmental problems the client experienced while growing up in the home. Parents know when there is "something wrong" with their child.

Attorneys also need to develop a sensitivity to how the learning disability affects the legal issues in their case. A person, with a speech and language disability, may not understand what his or her Miranda rights mean. It is my belief that many clients, who have attention deficit disorder, with or without hyperactivity, may self- medicate with stimulant drugs such as methamphetamine or cocaine. If identified as such as a youngster, they are often treated with ritalin, which is a stimulant drug. It is important to understand this link. A person with a visual or perception disability may not understand social cues and understand that they are aiding and abetting a crime. Finally, the client's disability may affect placement or sentencing alternatives.

Information gathering is a very important element not only to understand the legal issues in a case, but to prepare for disposition or sentencing. An attorney, representing a learning disabled client, must gather all grade reports, health records, disciplinary records, special education records (that are usually kept separately), all psychological reports and testing records. Some records are kept separately at each school level. Cumulative education records are usually kept at the last school attended. Psych records or special education records may be kept in a separate file or at a different facility such as a guidance office, or a county special education office.

It is also important, if the client has been on probation or in a correctional facility, that the attorney gather all notes of behavior by counselors in halls or camps, chrono logs of probation officers (that are kept separately from the legal probation file), and special education records from all the appropriate correctional facilities.

We, in the criminal justice field, must be willing to learn about what learning disabilities and other disabilities are, and how they affect the client's actions. For instance, I had a deaf client who was learning disabled in speech and language. He was accused of raping a female student and thought she had consented. It turned out that they spoke entirely different sign languages, that she had problems verbalizing, and he had problems understanding what was said to him and problems understanding social cues. He had very little knowledge of the Miranda rights given to him. When a plea was worked out to a sexual battery with no jail time, it took two hours for me and two sign language interpreters to explain his constitutional rights and waiver form, through the use of pictures, images, and concepts.

We must learn to network with other community agencies. The local Learning Disability Association chapters can work with the parents in doing special education advocacy. There are Protection and Advocacy legal offices that can be a source of information. We must ensure that if a client is referred for counseling, that he or she gets a counselor who understands learning disabilities and can select the most appropriate counseling method.

Finally, when we learn what we can, we need to educate others. We need to educate other attorneys, judges, probation officers, and district attorneys. If we do not, we are doing a disservice to our clients and are not effectively representing them.

Incarcerated Youth Task Force Report

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Specialist Program (RSP). The current options are not user friendly.

- Educational programs must address academics, social behavior and vocational education.
- A well-planned transition plan is critical for the success of the student upon his/her release.
- Vocational assessment must be completed to help the student with options available upon release.
- Action needs to be taken to address basic needs such as medical care and follow-through.
- Efforts have to be taken to create a stronger communication network among agencies available to support the student upon release.
- The court should order parent/family involvement in the education and transition of the student.

Advisory Commission of Special Education, 1993

"To leave these kids unrecognized and untaught is to play ring around the rosy with a time bomb."

Priscilla Vail, author

FIVE SUCCESSFUL PROGRAMS

Multisensory Teaching Approach

The MTA Reading and Spelling Program (Multisensory Teaching Approach) is built upon and is designed to be compatible with Alphabetic Phonics, an Orton–Gillingham–Stillman based approach to teaching reading, cursive handwriting and spelling. Alphabetic Phonics was developed over a ten-year period by the staff of the Texas Scottish Rite Hospital Language Laboratory in Dallas, Texas, under the direction of Lucius Waites, M.D., and Aylett R. Cox. The MTA Program materials evolved from the implementation of Alphabetic Phonics in both regular and special education classrooms in public school settings over an eight-year period.

MTA is a comprehensive, multisensory program in reading, spelling, cursive handwriting, and alphabet and dictionary skills. Materials and techniques are designed for teachers in both regular and remedial classrooms. Based on the Orton-Gillingham method and Alphabetic Phonics*. MTA is an ungraded curriculum that may be used as basic instruction for primary-age students, as a supplement to a whole language or basal reading program, or as a remedial program for students of any age. Teaching objectives are included, as well as a management system for documenting and monitoring student progress, making the MTA Program thoroughly accountable.

Three teaching methods are integral to the MTA Program:

1. multisensory techniques-presenting information visually, auditorily, and kinesthetically
2. guided discovery-teacher presentations combined with a series of carefully structured questions to actively involve students in the learning process-a method that develops problem-solving techniques applicable to other areas of learning
3. regularly scheduled review

All information presented in the MTA Program follows a process of introduction, review, and practice designed to enable students to master and retain the material. Each content area—alphabet, reading, spelling, and cursive handwriting—includes practice activities, arranged in ascending levels of complexity, enabling students to experience success while developing proficiency. In addition, materials for evaluating students' mastery of new information guide teachers in planning appropriate lessons, individualizing practice activities, and documenting progress. (The records are suitable for inclusion on student Individual Educational Plans [IEPs].) All MTA materials are reusable.

MTA reading and spelling program (Margaret Taylor Smith, et al.)

The reading and spelling curriculum is packaged in seven kits. Mastery of all materials enables students to read and spell the 85 percent of the 30,000 most frequently used English words that are phonetically regular, in addition to a major portion of the irregular words included in graded vocabulary lists for grades one through six.

Teacher training is recommended. Courses are regularly scheduled during the summer months; inservice sessions may be arranged during the school year. A schedule of summer training courses may be obtained from Educators Publishing Service, Inc., 75 Moulton Street, Cambridge, MA 02238 (beginning in May of each year). A consultant is available to provide information on teacher training and to answer questions about the MTA Program, on Tuesdays only, at (216) 248-1174.

Reading: A structured approach to decoding is emphasized first—the most frequently recurring letters and letter clusters (graphemes) are introduced, one at a time, through a series of multisensory associations. Strategies for identifying graphemes with more than one possible pronunciation enable students to select the correct pronunciation in any given situation. After each grapheme has been taught, it is reviewed daily. Other decoding skills introduced to students include structural analysis, syllabication, and context clues. Although early reading practice focuses on decoding accuracy, material for developing comprehension skills is also included, beginning with oral comprehension and progressing to reading comprehension as soon as decoding skills are automatic and fluent.

*The Alphabetic Phonics curriculum was developed by the staff of the Texas Scottish Rite Hospital Language Laboratory in Dallas, Texas, under the direction of Lucius Waites, M.D., and Aylett R. Cox. The MTA Program materials evolved from the implementation of Alphabetic Phonics in public school settings over a seven-year period.

Dyslexia Training program

The Dyslexia Training Program introduces reading and writing skills to students identified as dyslexic or at risk for dyslexia, through a two-year, cumulative series of videotaped lessons accompanying Student's Books and Teacher's Guides. The program is presented in a structured, multisensory sequence of alphabet, reading, spelling, cursive handwriting, listening, language history, and review activities.

Students work with the hour-long daily lesson tapes in a class of no more than six. A proctor teacher works with the students, providing more opportunity for attention to individual needs and progress in the classroom. Because the videotapes provide students with all instruction and introduction to new material, no special training in dyslexia instruction is needed for the proctor teacher, thus ensuring that the program can be used effectively year after year, even in a school system experiencing many changes in teaching staff.

Dyslexia training program books

Patricia Bailey Beckham and Marietta Laing Biddle

The Dyslexia Training Program emphasizes intense phonetic analysis of written language. Student's Books provide practice and review activities, and exercises for each phoneme-grapheme and concept presented in the tapes.[1]

Teacher's Guides reprint the student exercises and give directions for their presentation, as well as supplementary material such as poems, fables, fairy tales, and myths to be read aloud during each lesson as a listening activity.

[1]Presentation of each phoneme/grapheme and all reading and spelling lessons follow the sequence outlined in *Structures and Techniques: Multisensory Teaching of Basic Language Skills*, by Aylett R. Cox, Alphabetic Phonics (Cambridge Mass: Educators Publishing Services, Inc., 1984), pp 209-219. The Alphabetic Phonics curriculum was also developed at the **Texas Scottish Rite Hospital**, under the direction of Lucius Waites, M.D., and Aylett R. Cox.

FOR TEACHING READING

The Herman Method for reversing reading failure

"As a principal in Los Angeles City Schools for 23 years, I was deeply concerned about students who were not learning to read. We diagnosed the problems, worked with the various learning disabilities, used innumerable reading approaches — but the gains were minimal. I was delighted when the Herman Method was introduced at Dixie Canyon School. The results were dramatic. Our remedial students learned to read!"

Betty Freeman

The Herman Method is a reading curriculum that is:

Remedial — a phonetic, structured, sequential approach based on the Orton-Gillingham Method and specifically designed for dyslexic students;

Complete — includes a basic skills assessment and all instructional materials needed to teach a carefully controlled reading sequence that is correlated with spelling and handwriting instruction;

Easy to use — lesson plans for teaching each skill are detailed and illustrated in the Teacher's Guides including specific objectives and attainable goals;

Comprehensive — teaches decoding, sight words, structural analysis, contextual clues, and dictionary skills with consistent emphasis on comprehension;

Multimedia — contains 20 instructional filmstrips for teaching reading skills, and four filmstrips and accompanying cassettes for teacher information;

Success oriented — the continuum ranges from simple decoding techniques to independent reading ability with many opportunities for review and reinforcement;

Multisensory — coordinates visual, auditory, tactile, and kinesthetic input;

Effective — helps the dyslexic student compensate for problems in visual and auditory processing, retention, sequencing, and spatial orientation;

Unique — a complete remedial reading curriculum that can be effectively taught by paraprofessionals with the supervision of a credentialed teacher.

For more information, contact Renee Herman c/o Romar Publications, 4700 Tyrone Avenue, Sherman Oaks, CA 94123 (818) 784-9566.

Lindamood-Bell Learning Processes

What is Intensive Treatment?

The Lindamood-Bell Center offers intensive treatment to develop reading, spelling, language comprehension, visual-motor processing, and ability to follow oral directions. The concepts apply to individuals of all ages.

Intensive care is a familiar concept to the medical world. We find it is productive to also apply this intensive care concept in treating learning problems. It involves diagnosing the **cause** of a problem and treating it directly and intensely. The goal is independent self-correcting learners, who can continue to assist their own development because they are cognitively in command of the learning process.

Diagnosis

An initial diagnostic evaluation identifies:

- the primary **causes** of the problem
- the severity
- the focus of treatment

Treatment

Persons are seen individually:

- by specially trained clinicians
- four hours daily
- one month minimum

Results

Proven clinical procedures:

- are consistently effective
- produce years of gain in weeks of treatment

For more information contact Lindamood-Bell Learning Processes, 416 Higuera, San Luis Obispo, CA 94301 (805) 541-3836, (800) 233-1819. Branch offices are located in Sacramento (916-486-8183), Del Mar (619-259-3206), and Kansas City (816-333-7233).

Project READ

Project READ is an alternative method of teaching reading that

— is systematic

— is multisensory

— is concrete

— involves direct instruction

— positively affects students who have not yet experienced reading success

Project READ is a mainstream language arts program that provides an inductive instruction (basal reading system). It is based on the theories of Samuel Orton and was developed by Dr. Mary Lee Enfield and Victoria Green.

The curriculum is sequentially ordered rather than presenting in the random, global fashion, so typical in many classrooms. It is divided into three strands which "separate the inseparable" and gradually integrate them into a composite whole as a final stage. The first strand, *the decoding phase*, is based on the Orton- Gillingham-Stillman phonology system. The curriculum goes from the simplest phoneme/grapheme unit to the most complex and from the most frequently used to the least frequently used.

There are logical linkages between each step and each strand moves from the simplest phonemic/graphemic units to syllabication to affixes and roots. Use of context and dictionary skills are introduced at the appropriate time to complete the decoding strand. While the decoding strand is emphasized during the primary grades the other strands are also introduced.

The second strand, *comprehension*, starts with word meaning and vocabulary development and progresses to forms of composition. The forms of compositions were analyzed and the basic skeletons of the forms became the curriculum content.

The third strand, *written expression*, begins with letter formation and proceeds to encoding, sentence structure and the mechanics of writing, then to various forms of written composition.

Guides have been developed which contain the basic curriculum. However, many of the materials and techniques are handmade and some are purchased commercially. Linguistic reading materials are used such as SRA Linguistic Series,

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GED Testing Accommodations for Poor and Incarcerated Special Needs Students

by Patricia Franklin

Problem

Persons with possible learning disabilities are discriminated against under current Federal policy and practice. This discrimination applies to actual services provided to persons seeking accommodations for General Educational Development (GED) testing. An article in the May/June 1994 issue of GED items, "Providing Services to SLD Candidates", states, "...if any information is missing from the L-15 form, it will be sent back." The L-15 form requires the signature of a Certified Professional, the cost of whose assessment ranges from $250 to $500. Since most social service agencies and other care providers must refer their clients for GED assessments and cannot assist with financing the cost of such testing, poor, undereducated and incarcerated clients are actually being denied accommodations.

The present policy is less than adequate. Its discriminatory practice reminds one of the late 19th and early 20th century during which time the Federal government sanctioned "separate but equal" which actually **justified** segregation. It seemed reasonable then to some to maintain that a child attending a school without adequate heating or lighting, and which did not provide the latest textbooks, received the same quality of eduction as a child who attended a modern, well-equipped school. Similarly, a person now who cannot afford the cost of a Certified Professional's assessment for GED testing but needs it is not receiving equal treatment under the law. His/her needs are not being met — or even addressed — in terms of opportunities for vocational an academic education. Should only the affluent be able to ensure they receive professional assessments along with the required documentation? This discriminatory practice under a Federally-funded program must be eliminated.

Solutions

Outside: On The Streets, In Society

I propose an effective, two-fold solution to this societal discrimination. Literacy Centers now accommodate tutors and literacy clients in varied locations: hospitals, schools, colleges, and even prisons. These locations could be **shared** as sites for conducting learning disabilities assessment testing. Not only would shared facilities be cost-effective, but assessment testing would also coordinate with literacy needs. Secondly, Certified Professional Assessors could be paid from special Federal funds. In addition, like circuit doctors, some of these professionals could donate a few hours monthly toward assessing indigent and/or incarcerated persons.

Inside: A Jail, Prison, Juvenile Facility

Inside institutions, prioritization of testing for Learning Disabilities needs to be established. Every institution has either Department of Corrections or Contract staff who have the required credentials to do the assessments necessary to provide a thorough documentation of a legal learning disability condition. To disregard a public law that has been on the books since 1973 (Section 504 of the Rehabilitation Act) because of a person's condition of poverty, homelessness, or incarceration should **not** be tolerated any longer.

Offering an incarcerated individual an opportunity to improve himself through education can only be done if accurate placement in programs is achieved. Because so many thousands of the incarcerated were our homeless outside, prison time is an opportunity to make real and lasting differences in their functioning. This is not theory. This is fact based upon eight years of struggle within the current system to get incarcerated men tested. The following case studies detail that endeavor. These nine clearly speak to the frustration and success of just one individual Correctional Educator's effort.

Case Studies

Case #1:

This man has been incarcerated for 10 years and has another 10 to serve. He has worked constantly while incarcerated but had not made substantial gains toward the GED unit this year when he received accommodation approval. With audio, bold print and some extra time, Case # 1 has now successfully passed two of the GED tests. Although always motivated and hard working, Case #1 now feels he "is not stupid" and can indeed earn the welding degree that has always been his dream. He has written the Superintendent of the prison thanking him for the "different way to take these very important tests" and requesting that more than just a handful of men be allowed the learning disability testing opportunity because there are at least 100 men on a given day in this prison alone who need the accommodations — otherwise they continue to fail and they are released. That's not what they want or what society should want. But, they need help.

Case #2:

This is a very serious young African-American student in special classes in the prison setting. He says that the accommodations he is given in the classroom in terms of time, visual assists, and considerations for this attention problems make him want to be in school. However, he wants to be in vocational classes so that he will know how to *do* something besides sell drugs when he gets out in lass than 5 years. Although he was tested and approved for GED accommodation testing over six months ago in the prison, the paperwork has still not been sent to Washington, D.C. Case #2 is being pulled away from school at this time by his peer group in the Big Yard.

Case #3:

This 38-year old and very shy African-American worked diligently as a student for six years. Although progress was being made, it was slow and stressful. Case #3 is the father of three children and has a devoted wife. He wanted a trade, not an academic adventure. But he was not eligible for any until he had his GED or his functioning reading/math level on the Test Adult Basic Education reached above 7th grade. Finally approval of this Learning Disability was documented, but the very next week he was shipped out to pre-release. Six years had been wasted and all the man still knew how to do was sell drugs. Case #3 is a very proud man who wanted desperately to have options and choices as a man trying to support a family. As far as this author knows, few other facilities are offering LD GED testing so he more than likely was not able to continue on a new road of training and functioning as a learner.

Case #4:

Case #4 was an eighteen year old hyperactive seemingly illiterate dyslexic special education public school student three years ago. A DOC counselor *made* him attend school. The man side he could *not* be taught to read. *No one* could do it. He was simply "stupid". With the Learning Disability accommodation, dedication, and patience, he has now passed *all* of the GED tests, is speaking at Graduation, and is enrolling in drafting. His parents and he think it's a "miracle". Case #4 had to come to prison for 4 years to get the help he needed. He is the first inmate in this prison to have completed all the GED's successfully with accommodations. A conservative estimate is, that while this one man was being assisted, 400 needed help.

Case #5:

The statement of need on this man's GED application for Special Testing form read that ..."to achieve his GED will be an uphill haul — Reading remains a difficult task. The audiocassette edition may help make the difference between success or failure for this man." The DOC psychologist who wrote this was certainly profound. This man, Case #5, had been a total failure in school all his life. Tests administered in reading and language were never above 4th grade. Now, with accommodations, he is pleasant, cooperative, and hard working, and has passed two of the GEDs. He is 34 years old and says he actually is not a total failure as a human being for the first time in his life.

Case #6:

This sixteen year old is serving a forty-year sentence. He will still be a very young man upon release, but the manner in which he does his time will make all the difference between whether he leaves institutionalize and more dysfunctional or educated and rehabilitated. Case #6 has no recollection of a family home, only shelters. His drug abuse began at age 12. He can read and write, but there is a four grade discrepancy between his reading and math. He as attention problems and visual anomaly. Although IQ is quite normal, he has difficulty with short-term memory for numerical data. Although his classroom instruction provides aids, he is in the legal process for accommodations on the GED in math. Attention to his learning has taken this terrified, argumentative teenager and turned him into a confident, poised, self-directed young man. His passing the GED (if the paperwork is completed) will allow him to take vocational training, work at a decent job, and contribute to the smooth workings of this prison, his community, for much of his life.

Case #7:

This 48 year old African-American man was never educated, and now has serious physical problems. He also has some psychological problems that, in the classroom, are manifested by his not being able to concentrate if people are too close to him. Partial testing indicates that he is very bright, but if conditions are not right (private room) he is never going to pass any kind of test. His physical disabilities permanently disallow him from physical labor and he will be a drain on society, when he paroles in six years, unless he is educated and trained. Case #7 demonstrates in class that he desperately wants to be a contributing member of the working class. If given the opportunity and appropriate education he will be.

Cases #8 and 9:

These two middle-aged Native Americans have possible learning disabilities as well as cultural characteristics that contribute to their lack of success on standardized test. Although very amiable and hard working in class, neither is making quick progress in achieving his vocational training goals because of not receiving accommodations on the GED. Both need more time and a private room. Both are on a waiting list to be tested, but this could take years because of time and money constrains.

Hindrances:

1. Appropriate DOC or Contract staff did not have the knowledge or take the time to administer the test.
2. Students were concerned that any testing could be used to hurt them in relation to their crimes.
3. Administration and staff did not understand the need for LD testing in order to provide relevant educational programming for a very substantial amount of inmates.

Outcomes

1. Nine students have been tested.
2. Two students have passed a portion of the GED
3. One student has passed all of the GED test.
4. Contract staff has been trained to administer the tests.
5. Procedure has been established for future testing.
6. Interest by DOC has grown and support with it in the form of referrals.
7. Contract Administration and staff awareness and support have evolved.

Limitations:

1. Two few students have been assessed.
2. No program is set up to further the students' education with LD assistance after the GED is passed.
3. No transference of procedure to other institutions in same Command has happened.
4. Progress is continuing only because of the commitment of individuals. Little dedication to the issues has occurred.

Conclusion

These 9 cases may seem like limited achievement for 9 years work, but apparently from the calls and letters received from people in the field, most other Correctional Educators are not even able to achieve this modicum of success. Questionnaires sent to over 80 contract agencies resulted in a barrage of mail requesting assistance on how to proceed. Moreover, a requested participation at a National Learning Disability Forum produced a call from a Civil Rights attorney asking for help in getting assistance for the homeless and incarcerated learning disabled in Washington, DC.

The work has been acknowledged and even acclaimed by some and criticized by others. Bureaucrats who disdain it say that "it is too limited in scope". The contend that real progress should be more about the "big picture", not just getting the man through the GED. However, they are the ones with the power and the opportunities to make the "big changes". Moreover, rather than talking about making big sweeping change for the future, actually accomplishing change and transforming 9 individuals' confidence and self-esteem and opportunities in the present has actually occurred from focusing only on the law and the GED.

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Legal Definitions and the JD-LD Linkage

Barbara Bateman, Ph.D., J.D., Professor of Special Education; Advocate for Children with Learning Disabilities, Eugene, Oregon

In the early years of rapid development discipline of learning disabilities it was by no means politically correct to mention a possible link between juvenile delinquency (JD) and learning disabilities (LD). Then in the 1970's, as the veil was lifted, it was still important to deny any direct causal link between the two. It was also crucial to preface any discussion by saying that of course the JD-LD link is not a two-way street and that if one initially examines an LD population few delinquents will be found. Then we were able to say, finally, that when we begin adjudicated delinquent or criminal population, a substantial portion of this group will have learning abilities.

Now we are not only willing to recognize the link but eager to pursue it, understand it, and eliminate it. The strength of the link between delinquency and LD has been variously estimated. Keilitz and Dunivant (1987) found that nationally LD boys are more than twice as likely as non-LD boys to be adjudicated delinquent, i.e., 9 percent of LD males are adjudicated delinquent, compared to 4 percent of the non-LD males. For just a moment let us, in a very rough,crude way, attempt to estimate the possible magnitude of the JD-LD link. During any one year, about 2,000,000 school age children are served as LD; thus roughly 20,000 are newly identified as LD each year. Of these about 3/4 or 150,000 are male. Of those, about 9 percent or 1 3,500 will be adjudicated delinquent. In an otherwise similar non-LD population about 6,000 would be adjudicated. Thus, if these numbers are reasonable, about 7,500 young males annually will be adjudicated delinquent who might not have been so had they not been LD. This last leap assumes that the "excess" of LD boys compared to non-LD boys who become delinquent do so in large part because of their learning disabilities.

Whether these rough "guestimates" are or are not approximately accurate, we surely all recognize that learning disabilities, not adequately addressed, may and too often do result in undesirable behavior, including delinquency. The Keilitz and Dunivant study also suggests that the intellectual and personality impairments associated with learning disabilities, rather than just school failure per se, may be involved in producing delinquent behavior and in that behavior leading to contact with the justice system.

A most unfortunate tendency has developed to exclude from special education the very students who are showing anti-social behavior. Some of this exclusion may be honest confusion resulting from some interesting wording in two definitions found Education for Individuals with Disabilities Education Act (IDEA, formerly EHA).

The failure to identify and serve many students who are or soon may be in the LD-JD link can be traced in part to long-standing, seemingly never-ending difficulties with LD identification per se and in part to an oddity in the definition of emotional disturbance.

The operational, legal definition of LD follows:

(a) A team may determine that a child has a specific learning disability if:

1. The child does not achieve commensurate with his or her age and ability levels in one or more of the areas listed in paragraph (a) (2) of this section, when provided with learning experiences appropriate for the child's age and ability levels; and
2. The team finds that a child has a severe discrepancy between achievement and intellectual ability in one or more of the following areas:

   (i) Oral expression;

   (ii) Listening comprehension;

   (iii) Written expression;

   (iv) Basic reading skill;

   (v) Reading comprehension

   (vi) Mathematics calculation; or

   (vii) Mathematical reasoning.

(b) The team may not identify a child as having a specific learning disability if the severe discrepancy between ability and achievement is primarily the result of:

1. A visual, hearing, or motor handicap;
2. Mental retardation;
3. Emotional disturbance; or
4. Environmental, cultural or economical disadvantage.

(34 CFR 300.54-1).

The difficulties in identifying students who have learning disabilities include the persistent predisposition of some teachers to believe "he could do it if only he would work harder (or if he had a better attitude, etc)", the ill-founded and ill-advised tendency of some multidisciplinary teams to rely on quantification of "severe discrepancy" rather than on professional expertise, experience, and judgment and on the related failure of most teams to rely enough on the wisdom of experienced classroom teachers who know the difference between common, ordinary difficulties in learning certain skills and the qualitatively different difficulties characteristic of children with learning disabilities.

Various deliberate efforts are also sometimes made to exclude children who are actually LD eligible. One common ploy is to claim children must show a "process" disorder, in addition to meeting the criteria above. This practice has been ruled a clear violation of the law (e.g. Kennedy, 16 EHLR 1082). Another is to limit the percent of children in a district or building who may be referred or identified as LD. There is apparently no end to the ways found to not serve children.

Another definition causing confusion in the area is that of "seriously emotionally disturbed (SED)":

(8) "Seriously emotionally disturbed" is defined as follows:

(i) The term means a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree, which adversely affects educational performance:

(A) an inability to learn which cannot be explained by intellectual, sensory, or health factors

(B) An inability to build or maintain satisfactory interpersonal relationships with peers and teachers;

(C) Inappropriate types of behavior or feelings under normal circumstances;

(D) A general pervasive mood of unhappiness or depression; or

(E) A tendency to develop physical symptoms or fears associated with personal or school problems.

(ii) The term includes children who are schizophrenic. The term does not include children who are socially maladjusted, unless determined that they are seriously emotionally disturbed.

34 CFR 300.5(b)(8).

"Parents Don't Care!"

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The problem stems in large part from a misreading of the social maladjustment exclusion. The law clearly says that socially maladjusted students *are* eligible if they meet the SED criteria. However, the world at large has misread this definition to mean that socially maladjusted children are not eligible and need not be provided special services. Not only that, but some advisors attempt to further reduce the number of eligible children by telling districts that they need not serve children who have "conduct disorders." Some even go so far as to assert that no child need be served unless he or she has a diagnosed "psychiatric condition," in addition to meeting the SED criteria of the law. Why, one might ask, is there such a strained effort not to identify and serve children as SED? The answer is simple and ugly. It is very difficult, perhaps impossible, to expel (or suspend for more than 10 days) an identified SED or LD student. Many schools are still bankrupt as far as effective interventions for anti-social students and wish to deal with them simply by kicking them out. So it is essential not to make them IDEA eligible.

When we read the SED criteria carefully, we see that many of our LD students, especially in middle and secondary school, fit them. Many districts still mistakenly insist that LD eligibility requires below-grade-level performance. Others insist upon such a huge discrepancy between ability and achievement that some truly LD students are excluded. Thus, for some of our students, SED eligibility becomes a viable option for obtaining services. But if that door, too, is slammed by the claim the student is now so frustrated he is acting out and is socially maladjusted, we can almost guarantee the student will drop out or worse.

-The remainder of this discussion is premised upon two observations which are not universally accepted. The first is that in most settings today special education is far more likely than regular education to respond constructively to the needs of the LD or SED student who is possibly on the brink of the JD pathway. The second is that special education is, or at least can be, a positive intervention. Some critics today argue that it is better not to provide special education than to provide it. This position seems to be extreme rhetoric bordering on babies and baths. Certainly special education has problems and needs improvement. That is a far cry from needing to be abolished.

In order to weaken the LD-JD link we need to provide every student with effective instruction. A powerful position on student's rights to effective education has recently been articulated by Barrett et al. (1991). Twenty-one specific student entitlements are spelled out in the areas of educational context (e.g. entitled to social and physical school environments that encourage and maintain academic accomplishments and discourage anti-social behavior), curriculum and instructional objectives (e.g. entitled to programs based on proven components and objectives of long-term value in the culture), assessment and placement (e.g. entitled to placement based on level of performance), instructional method (e.g. entitled to individualized instruction when necessary and to the most up-to-date and technologically advanced equipment that has been validated to assist in skill mastery), success (e.g., entitled to change schools or programs when educational needs are not being met). The crisis in American education finally appears to be so severe that fundamental changes must and will be made.

At least two essential changes which will determine whether we begin to deliver more effective instruction to all children are whether we (a) hold teachers and administrators accountable for student progress and (b) thereby require data-based decisions about materials/program selection. There are effective educational programs out there and there are some very ineffective programs. The question is whether we are ready to get serious about forcing educators to use the effective ones. If so, we may greatly weaken the LD-JD link And it is within our power, today, to also improve the employment possibilities and the social prognosis for our LD students by compelling the use of effective programs and no others. It's up to us.

REFERENCES

Barrett, B.H. et.al. 1991. The Right To Effective Education. *The Behavior Analyst 14*(1): 79-82.

Keilitz, I. and Donivant, N. 1987. The Learning Disabled Offender. *In* Nelson, C.M., Rutherford, R.B., Jr., and Wolford, B.I. (eds). *Special Education in the Criminal Justice System.* Columbus, Ohio: Merrill Publishing Co. p. 120-137

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and audio tapes from television and radio commercials that promise to teach them and their children how to read only to be disappointed.

For the majority of parents that I help with undiagnosed learning disabilities, I am usually the first adult who understands their fears of being found out. I am now very open about my struggles with the written word. I write about learning disabilities, I give public presentations and I have testified in front of the Legislature about my struggles with the written word. Unfortunately, I have yet to convince one of the fathers I work with to testify in public and admit he can not read because he has dyslexia. For many fathers, the stigma of being adults who can not read because of their undiagnosed learning disabilities is still too embarrassing for them publicly to admit to...especially in front of their peers or a group of strangers who can read and write.

As long as society does not fully recognize this neurological condition for what it really is and as long as some members of our society keep on referring to learning disabilities or dyslexia as a designer term or boutique disabilities that do not exist, we will continue to have parents and children who will not admit to their reading disabilities and we will continue to hear: "Parents don't care! "

We do care! Many of us spend far too many years crying in silence with the pain derived from the humiliation of not being able to access the world by way of an education. ***A person in a wheel chair can access a classroom in a school building by way of a ramp. the only ramp into the classroom for the student who has dyslexia is a teacher trained to teach us with special teaching methods.***

In July 1995, a presentation was made to the U.S. Congress by Dr. Reed Lyon from the National Institute of Child Health and Human Development. Dr. Lyon stated that at as many as 20% of our children have learning disabilities. Not all of society's ills can be blamed on learning disabilities, but according to numerous studies on the subject of learning disabilities and juvenile delinquency, this condition is nationally recognized as a **significant** contributor to crime when undiagnosed and unremediated.

Where Have All The Girls Gone?

Julie Gilligan, Ph.D., LD Planning Commission, New Rochelle Hospital Center, Westchester County, NY

In the light of new research indicating many more girls have learning disabilities than was previously recognized, (published in the *Journal of the American Medical Association* by Sally Shaywitz, M.D. Associate Professor of Pediatrics — Yale University School of Medicine), — it follows that we must be concerned about the plight of young women and the LD/JD link — undetected Learning Disabilities and Juvenile Delinquency.

Very little attention has been given to this subject, although extensive public awareness and training has been given on the LD/JD link since 1985. Some of those dedicated professionals who spearheaded the effort are represented at the Symposium "Learning Disabilities, Juvenile Delinquency, and the Juvenile Justice System", preceding the 1991 Annual Conference of The Orton Dyslexia Society, November 6, 1991, in Portland, Oregon.

Chief Family Court Judge Tom McGee, from Jefferson Parish, Gretna, Louisiana, and John Sikorski, M. D. a pediatrician and adolescent psychiatrist from San Francisco, were the original speakers for professional training sessions given by the National Council of Juvenile and Family Court Judges, (JCJFCJ), under a grant provided by the National Center For Learning Disabilities (NCLD) in New York City. After the three year grant ended, the JFJFCJ deserves much praise for continuing sessions on the LD/JD link in their ongoing courses for Family Court Judges.

Training about this LD/JD link for judges, attorneys, probation, and corrections officers emphasizes a very positive statistic which emerged from a Federal study in the 1970s. When a young person who enters the juvenile justice system for a minor offense is tested and found to have undetected LD — and when the youngster is then given 60 hours of appropriate remediation — there is rarely a second offense. Diverting such youth from the revolving door of the criminal justice system makes it possible for that youth to graduate from high school and head for a productive life. When this takes place society reaps a financial reward. Incarceration in a residential juvenile home can cost as much as $30,000 per year, in addition to court costs. Testing for learning disabilities, which can be requested by a probation officer or mandated by a Family Court Judge costs approximately $2000.

This same kind of diversion process can work with girls found by the Court to have previously undetected LD. However, statistics show that the frustrations of school failure often lead to girls dropping out of school and getting pregnant. Unless families can support both the teenage mother and her child, they become the responsibility of social services. When criminal activity and frequent substance abuse are present, two lives are at risk and become the burden of society. Incarcerated women serving time for crime are separated from their children —adding another psychological problem for them to surmount. Although there have been some successful model programs for teaching responsibility to young fathers and encouraging both unwed teen parents to finish high school and support their child, in most cases, the children remain a care of the mother alone.

Women's Rights movements have drawn attention to other factors about girls and women in the criminal justice system. They are often victims, as in child abuse, of rape and incest. One of the earliest and most effective studies about girls and delinquency was undertaken in the 1970s by the National Youthworker Education Project funded by Lilly Endowment, Inc. At the University of Minnesota Graduate Center for Youth Development and Research, youth-serving professionals from the major girl-serving agencies, such as Girl Scouts, Girls Clubs (now known as Girls, Inc.), and Y's were brought together with corrections officers from their geographic areas to study the problems of girls. These were the years, incidentally, when the Juvenile Justice Act came into existence to monitor the treatment of youthful offenders. Previously, in many instances, they were placed in adult jails with hardened criminals.

Some of the facts which the study brought to the attention of society included the fact that girl runaways were often assumed to be prostitutes and treated as such when picked up by police. In many cases these girls were running away from an impossible home situation.

In thinking about girls with undetected LD —now that we are aware that the incidence of LD girls is much higher than realized —steps must be taken to prevent them, as well as boys, from entering the Juvenile Justice System.

Family Court Judge Jeffrey Gallet, who became nationally known as an advocate for LD youth-at-risk, always says in his speeches, ..."the business of youth is school. That's where they belong! ..."

The purpose of this paper is to challenge The Orton Dyslexia Society and all of the major organization concerned about Learning Disabilities to think more about girls and delinquency AND prevention (because the crime rate for girls is escalating). How can we cooperate with Family Court and schools to assure that girls remain in school and don't become unwed mothers, thereby endangering yet another life? There are no quick answers, but we can return once more to our platform that trained teachers, parents, youth workers, and probation officers can be helped to recognize the warning signs of LD. We must push harder to assure that a course about LD is required for teacher certification. Parent/Professional Conferences are more important than ever for addressing and disseminating new methods and information. Legislators have to allow girls, as they are diagnosed, will swell the numbers of Special Education recipients. As mainstreaming becomes more evident, the psychological, social needs of girls must be considered. In a nutshell, LD is now co-ed!

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GED Testing Accommodations

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Epilogue

It is certainly possible that even with appropriate educational opportunities, a man or woman will continue to remain homeless or commit crimes, but at least he or she would have a choice.

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RESOURCES

LEARNING DISABILITIES ORGANIZATIONS FOR CHILDREN AND ADULTS

Learning Disabilities Association of America (LDA), 4156 Library Road, Pittsburgh, PA 15234.
Telephone: 412/341-1515

National Center for Learning Disabilities (NCLD), 381 Park Avenue South, Suite 1420, New York NY 10016.
Telephone: 212/545-7510

Orton Dyslexia Society (ODS), Chester Building, 8600 LaSalle Road, Suite 382, Baltimore, MD 21204.
Telephone: 410/296-0232

Council for Exceptional Children (CEC) —Division of Learning Disabilities (DLD), 1920 Association Drive, Reston VA 22091-1589
Telephone: 800/328-0272 or 703/620-3660

Council for Learning Disabilities (CLD), P.O. Box 40303, Overland Park, KS 62204
Telephone: 913/492-8755

Children and Adults with ADD (CH.A.D.D), 499 NW 70th Avenue #308, Plantation, FL 33317
Telephone: 305/587-3700

Related organizations

National Information Center for Children and Youth with Disabilities (NICHCY), 1875 Connecticut Avenue, 8th Floor, Washington, DC 20009.
Telephone: 800/695-0285.

An information clearing house that provides free information on disabilities and disability-related issues.

LEARNING DISABILITIES ORGANIZATIONS FOR LD ADULTS

HEATH Resource Center (Higher Education and Adult Training for People with Handicaps), One Dupont Circle, Suite 800, Washington, DC 20036
Telephone: 800/544-3284

A national clearinghouse that provides free information on postsecondary education and related issues for individuals with learning disabilities.

BOOKS ON TAPES

Recording for the Blind and Dyslexic, 20 Roszel Road, Princeton, NJ 08540
Telephone: 609/452-0606

A national non-profit organization that provides taped educational books free on loan, library services and other educational and professional resources. 75% of their clients have learning disabilities.

VIDEO TAPES

I'm Not Stupid: A 53-minute video that introduces and give s an overview of the nature of learning disabilities of children and adults. Video is $22.00 + 10% postage/handling. Contact: LDA, 4156 Library Rd, Pittsburgh, PA 15234. Tel. 412/341-1515.

We Can Learn Understanding and Helping Children with Learning Disabilities: A 50-minute, 5-part video services about children with LD produced by NCLD, along with WNBC, New York. An important video with manual, for parents, teachers and professionals. Available from NCLD for $39.95 + $3.95 postage and handling. Contact: NCLD, 381 Park Avenue South, Suite 1420, New York, NY 10016. Telephone: 212/545-7510.

Lab School Audio Series: a collection of audio tapes featuring 12 of the most popular programs from the Lab School Lecture Series for parents and professionals. Topics include: social problems of children with learning disabilities, controversies about ADD and treatment, confidence in parenting, etc. For a complete listing and more information, contact the Lab School. Telephone: 202/963-6600.

AUDIO TAPES

National Council of Juvenile and Family Court Judges,
P.O. Box 8978, Reno, NV 89507
Telephone: 702/784-6012

Conference speeches presented by such renowned speakers as Judge Thomas McGee, John Sikorski, Dorothy Crawford, Dorothy Fink-Ungerleider, Mary Curd-Larken, Judge Berton Kramer, Ralph Brownlee, Robert Massi and Leonard Robinson.

PUBLICATIONS FOR PROFESSIONALS

American Bar Association, Child Advocacy and Protection Center, 1800 M Street, Washington, D.C. 20036
Telephone: 202/331-2250

Send for Manual for Attorneys *Representing Learning Disabled Children* by Bogin & Goodman. Written with a grant from the National Center for Learning Disabilities. ($10)

National Council of Juvenile and Family Court Judges, P.O. Box 8978, Reno, NV 89507
Telephone: 702/784-6012

Send for the Bench Book on learning disabilities for juvenile and family court judges, *Juvenile & Family Court Jornal: Learning Disabilities and the Juvenile Justice System.* Written with a grant from the National Center for Learning Disabilities. ($10)

GOVERNMENT AGENCIES

Office of Civil Rights (OCR),
U.S. Department of Education, OCR, 330 C. Street, S.W., Suite 5000, Washington, DC 20202-1100.
Telephone: 202/205-5413

To file a formal civil rights complaint, (a Section 504 complaint) contact this office or the regional office servicing your area.

Project READ

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Merrill, and others. Materials with non-controlled vocabulary are also used: Ranger Rick, World, Harcourt, Brace Jovanovich Literature Series for Elementary and Junior High, and others.

In Orange County, California using Project READ has resulted in increase in mean reading scores (from the low 50th percentile in 1965 to the upper 80th percentile in 1986), a decrease in the district's dropout rate from 13.8% in 1970 to 3.4% in 1985, and a decrease in the number of children identified as Educable Mentally Handicapped.

These accomplishments were at a significantly reduced cost per child, an increased self confidence and self esteem of students and a new confidence in teachers who are experiencing successes in helping people to learn to read.

For more information, write P.O. Box 20631, Bloomington, MN 55420.

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For further information related to learning disabilities and juvenile justice, write LDA of America, Attn: Dorothy Crawford, 4156 Library Road., Pittsburgh, PA 15234.

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